

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

PURDUE PHARMA L.P., *et al.*,
Debtors.¹

Chapter 11

Case No. 19-23649 (RDD)

**ORDER GRANTING IN PART, DENYING IN PART, AND CONTINUING IN PART
MEDIA INTERVENORS'
MOTIONS TO UNSEAL JUDICIAL RECORDS**

Upon the Media Intervenors Dow Jones & Company, Inc., Boston Globe Media Partners, LLC, and Reuters News & Media, Inc.'s *Motion to Intervene and Unseal Judicial Records by Dow Jones & Company, Inc., Boston Globe Media Partners, LLC, and Reuters News & Media, Inc.* [Dkt. No. 1828] and the *Second Motion to Unseal Judicial Records by Media Intervenors Dow Jones Co., Inc., Boston Globe Media Partners LLC, and Reuters News & Media, Inc.* [Dkt. No. 2188] (the "**Motion to Intervene**" and the "**Motions to Unseal**" by, collectively, the "**Media Intervenors**"); and there being due and sufficient notice of the Motions to Intervene and the Motions to Unseal; and upon the objections to the Motions to Intervene and the Motions to Unseal and all related pleadings; and upon the record of the hearings held by the Court on January 20, 2021 and February 17, 2021; and upon the agreements by parties in interest to the unsealing of

¹ The Debtors in these cases, along with the last four digits of each Debtor's registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF L.P. (0495), SVC Pharma L.P. (5717) and SVC Pharma Inc. (4014).

various information sought to be unsealed by the Media Intervenors; and the Media Intervenors having withdrawn at the January 20, 2021 hearing the Motions to Unseal without prejudice except as to redactions made to Exhibit 123 to the *Declaration of Mara Leventhal Dated October 14, 2020* [ECF 1812], redactions made to Exhibit 137 to the *Declaration of Arik Preis Dated November 18, 2020* [ECF 2015], and the withholding of the following fifteen documents referred to collectively herein as the “**Privilege Log Materials**”:

- *Declaration of Mitchell Hurley Dated September 29, 2020* [ECF 1754]:
 - Exhibits A, B, and C
 - Attachment to the letter in Exhibit 34
- *Declaration of Mara Leventhal Dated October 14, 2020* [ECF 1812]:
 - Exhibits 14, 93, 113, 114, 121, and 122
 - Attachment to the letter in Exhibit 118
- *Declaration of Arik Preis Dated November 18, 2020* [ECF 2015]:
 - Exhibits A, B, and 195
- *Declaration of Benjamin S. Kaminetzky in Support of Debtors' Omnibus Objection to the Official Committee's Motions to Compel Production of the Debtors' Privileged Documents and Cross-Motion for a Protective Order* [ECF 1809]:
 - Exhibit 69-1;

and after due deliberation and good and sufficient cause appearing for the reasons stated by the Court in its bench rulings at the February 17, 2021 hearing; now, therefore, pursuant to 11 U.S.C. § 107 and Fed. R. Bankr. P. 9018 it is hereby

ORDERED THAT:

1. The Media Intervenors’ Motion to Intervene pursuant to Federal Rule of Bankruptcy

Procedure 2018(a) for the limited purpose of seeking to unseal judicial documents is granted.

2. The remaining relief sought by the Motions to Unseal is granted, in part, denied, in part, and continued, in part, as set forth herein.
3. By March 3, 2021, the Parties shall publicly file the Privilege Log Materials in unredacted form except as consistent with the Parties' agreements as to the redaction of non-public personally identifying information ("PII"), and, in accordance with the Court's rulings during the February 17, 2021 hearing, consistent with the following:
 - a. The names of public-facing entities owned in whole or in part by the Mortimer Sackler Family Initial Covered Sackler Persons (Side A) shall not be redacted from Privilege Log Materials.
 - b. The Court defers its ruling as to whether the Sackler families may redact the names of third-party business counterparties and investment advisors that have ongoing commercial relationships with the families, their entities, or trusts ("Current Counterparty Information")²; as to that issue, the Motions are continued to the next omnibus hearing on March 24, 2021. The Parties shall publicly file the Privilege Log Materials in accordance with this Order and with Current Counterparty Information redacted.
4. Exhibit 123 to the *Declaration of Mara Leventhal Dated October 14, 2020*, shall be publicly filed as it was submitted in revised, redacted form to the Court on February 16, 2021 no later than three days after entry of this Order:

² As requested in the *Limited Objection of the Raymond Sackler Family to the First and Second Motions to Unseal Judicial Records by Media Intervenors Dow Jones & Company, Inc., Boston Globe Media Partners, LLC, and Reuters News & Media* [ECF 2360].

5. Exhibit 137 to the *Declaration of Arik Preis Dated November 18, 2020*, shall be publicly filed as it was submitted in revised, redacted form to the Court on February 16, 2021 no later than three days after entry of this Order, with the following modifications:

- a. The heading on page 3 shall not be redacted; and
- b. The Court defers its ruling as to whether the section on the bottom of page 9 that was identified by the Court at the February 17, 2021 is appropriately redacted. As to that issue, the Motions to Unseal are continued to the next omnibus hearing on March 24, 2021. For the avoidance of doubt, the section on the bottom of page 9 shall remain redacted in such filing pending a further order of the Court.

6. By March 10, 2021, the Media Intervenors will inform the Raymond Sackler family whether the Media Intervenors intend to cross examine Garrett Lynam or Frank S. Vellucci at the next omnibus hearing on March 24, 2021.

Dated: February 22, 2021
White Plains, New York

/s/Robert D. Drain

THE HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE